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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: E. Martinez-Force et al. Attorney Docket No.: ARNO118345  
Application No.: 10/009,067 Group Art Unit: 1617  
Filed: July 16, 2002 Examiner: S.A. Jiang  
Title: USE OF HIGH OLEIC HIGH STEARIC OILS

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER PRIOR PATENTS

## TO THE COMMISSIONER FOR PATENTS:

Consejo Superior de Investigaciones Cientificas, a company registered under the laws of Spain, having a principal place of business at C/Serrano 117, ES28006, Madrid, Spain, represents that it is the owner of the entire right, title, and interest in the above-identified patent application by an assignment from the inventor(s) of the above-identified patent application. The assignment was recorded in the U.S. Patent and Trademark Office at Reel 013903, Frame 0952.

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer of prior U.S. Patent Nos. 6,388,113; 6,348,610; and 6,486,336, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to prior U.S. Patent Nos. 6,388,113; 6,348,610; and 6,486,336, this agreement to run with any patent granted on said above-identified application and to be binding upon the grantee, its successors, or assigns.

The owner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of prior U.S. Patent Nos. 6,388,113; 6,348,610; and 6,486,336 in the event that said prior U.S. Patent Nos. 6,388,113; 6,348,610; and 6,486,336 later: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, have all claims cancelled by a reexamination certificate, are reissued, or are otherwise terminated prior to the expiration of their full statutory terms as presently shortened by any terminal disclaimer.

For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

12/07/2004 6DUCKETT 00000011 031740 10009067

02 FC:1814 110.00 DA

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KENDRICK  
420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.462.5100

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CHRISTENSEN O'CONNOR

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RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1600IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: E. Martinez-Force et al. Attorney Docket No.: ARNO118345  
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 Title: USE OF HIGH OLEIC HIGH STEARIC OILS

RESPONSE TRANSMITTAL LETTER/  
 PETITION FOR EXTENSION OF TIME/  
 TERMINAL DISCLAIMER TRANSMITTAL

Seattle, Washington 98101

November 16, 2004

TO THE COMMISSIONER FOR PATENTS:

A. Response Transmittal

Transmitted herewith is a Response to Final Office Action in the above-identified application.

X No additional claim fee is required, as shown below.

COMPUTATION OF FEE FOR CLAIMS AS AMENDED

	Claims Remaining After Amendment		Highest Number Previously Paid For		Present Extra		Rate		Additional Fee
Total Claims	12	-	20	=	0	x	18	=	0
Independent Claims	3	-	3	=	0	x	88	=	0
TOTAL									\$0

B. Petition for Extension of Time

Applicants respectfully request that the shortened statutory period for response to the outstanding Office Action dated June 17, 2004, set to expire on September 17, 2004, be extended

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LAW OFFICES OF  
 CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>SM</sup>  
 1420 Fifth Avenue  
 Suite 2800  
 Seattle, Washington 98101  
 206.632.8100